

Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4. Nays, None.
Councilman Reed absent.

The Council then recessed.

Approved: J. H. McFadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 5, 1929.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

The regular order of business was suspended in order to open bids for the construction of a sanitary sewer system from Cummings Street to Deep Eddy and the installation of a sewage pumping station at River Street and Colorado River. The following bids were then opened and read:

	<u>Vitrified Clay Pipe</u>	<u>Concrete Pipe</u>	<u>Pump Station</u>	<u>Total</u>
McKenzie Construction Co.	\$115,277.45	\$109,064.95	\$15,000.00	\$130,277.45 \$124,064.95
J. B. McGrary Company -	\$115,218.98	\$110,291.48	\$15,800.00	\$131,018.98 \$126,091.48
Kirkwood, Wharton & Lee -	\$129,727.25	\$124,252.25	\$17,000.00	\$146,727.25 \$141,252.25
J. M. Odom -			\$16,215.00	

The bids were referred to H. R. F. Helland, Consulting Engineer, for tabulation and report to the Council.

The Minutes of the last meeting were read and Councilman Mueller moved that same be adopted as read. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Ben Thrasher, representing the owners of the property, and Walling, Bradfield & Brush, Agents for said owners, again came before the Council in the matter of a permit for the erection of a gasoline filling station at 1010 Lavaca Street. A committee composed of Harvey Harrell, John F. Butler and I. Heidenheimer, also appeared to protest against a permit being granted for a filling station at this location on account of the great traffic hazard at this corner. A communication from Walling, Bradfield & Brush, asking that the Council hear the report of the City Plan Commission upon same before further action is taken, was read.

Councilman Mueller moved that permit for the erection of a gasoline filling station at the above site, 1010 Lavaca Street, be refused on account of the extra traffic hazard at this point. Motion was seconded by Councilman Steck, and same

prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Reed, and Steck, 4; nays, Councilman Pannell.

Mayor McFadden laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed to purchase for the City of Austin, from W. R. Smith, for a cash consideration of Five Thousand (\$5,000.00) Dollars, and upon showing of good and merchantable title in said owner at the time of conveyance, and free from all liens and incumbrances, as determined by the City Attorney, and after accurate survey thereof, if deemed necessary by the City Manager and upon delivery to the City of Austin of the owner's general warranty deed, the following described land, towit: Lot 5, and 59 feet of Lot 6, in Block 166, in the City of Austin, Travis County, Texas.

BE IT FURTHER RESOLVED:

THAT the sum of Five Thousand (\$5,000.00) Dollars be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose above mentioned, and that a warrant for said amount issue therefor, payable to W.R. Smith, and be delivered to said party, after approval of title to said land by the City Attorney and delivery by said party of his general warranty deed to said land; provided, however, that the above sum of money is appropriated out of the above mentioned fund as a loan from said fund for the purposes stated in this resolution, and it is understood that said fund shall be reimbursed to the extent of said appropriation at such time as the City may have available funds.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following communication from E. A. Murchison, President Board of Trustees of Austin Public Schools:

"Austin, Texas, August 28, 1929.

To the Honorable Mayor and City Council,
Gentlemen:

The Board of Trustees of the Austin Public Schools at a meeting held on August 23d passed a resolution to urge you to grant their request for closing East Ninth Street between Trinity and Neches to vehicular traffic as soon as possible. The schools will open on September 23d and this should be closed by that time.

I am requested by the Board to assure you that if any legal proceedings come up or any damages are claimed as a consequence of the closing of this street, the Board will assume all costs incident to such legal proceedings or claims for damages.

Yours very truly,

(Sgd) E. A. Murchison,
President Board of Trustees."

The above communication was received and filed and ordered spread upon the Minutes.

The Mayor laid before the Council the following resolution:

WHEREAS, the Austin Public Schools has acquired the block of ground across East Ninth Street and immediately south of the Junior High School, and it is the purpose of the Board of Trustees to use said block of ground as a playground for the children attending said school; and in pursuance of such purpose, it is considered that great hazard will result to said children in crossing said street to and fro between the school grounds and said playgrounds, and for this reason said Board has petitioned the City Council to close said street at said point against

traffic; and

WHEREAS, the City Council has considered said proposal and finds that granting of same will not seriously affect the public convenience in using said street at said point; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT East Ninth Street, between its intersection with Trinity Street and its intersection with Neches Street be and the same is hereby closed and vacated to vehicular traffic; provided, however, that the right is reserved by the City of Austin to enter, use, control and regulate said street between said points at all times, and to rescind the action contained in this resolution at any time it is deemed best for public interest; and provided further, that in placing barriers at the intersections above stated, in order to carry out the purpose of this resolution, same shall be so constructed as to allow the free entrance of pedestrian traffic along the part of the street herein vacated, and also permit the immediate entrance of fire apparatus at any time.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the Austin Public Schools is the owner of all of the property situated in Block 6, Outlot 57, Division "B", City of Austin, Texas, and desires that the alley running through said block be closed; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT said alley be and the same is hereby permanently vacated and closed, but there is reserved to the City of Austin the right and easement perpetually to enter said alley for the purpose of laying, constructing and maintaining its public utilities.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of Ten Thousand Dollars (\$10,000.00) be and the same is hereby appropriated out of the Water and Light Fund, for the purpose of placing same to the job account of the U. G. I. Contracting Company, to be used for the payment of labor and materials in connection with the construction at the Water and Light Plant, under the terms of the contract between the City and said Company.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following report of H. R.F.Helland, Consulting Engineer:

"Austin, Texas, Sept. 4, 1929.

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

This is to advise that the Southwest Bitulithic Company has completed paving and other improvements on West Fifth Street from the west line of Guadalupe to the east line of Nueces Street according to the plans and specifications

adopted for city improvements.

I, therefore, recommend the acceptance of these improvements.

Yours very truly,

(Sgd) H. R. F. Helland, Consulting Engineer."

The Mayor then laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF WEST FIFTH STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 19th day of April, 1929, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

WEST FIFTH STREET from the west property line of Guadalupe Street to the east property line of Nueces Street, known and designated as Unit or District No. 5; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the city, and have been found satisfactory and in accordance with the contract by the City Council of said city,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of West Fifth Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

2.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

3.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following report of H. R. F. Helland, Consulting Engineer:

"Austin, Texas, Sept. 5, 1929.

Hon. Mayor and City Council,
Austin, Texas.

Gentlemen:

This is to advise that L. E. Whitham & Company has completed the paving improvement on Duval Street from 35th Street to 45th Street in accordance with the plans and specifications heretofore adopted by your Honorable Body.

I therefore recommend the acceptance of this improvement.

Very truly yours,

(Sgd) H. R. F. Helland, Consulting Engineer".

The Mayor then laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN, TEXAS,
ACCEPTING THE IMPROVEMENT OF A PORTION OF
DUVAL STREET IN THE CITY OF AUSTIN AND
AUTHORIZING THE PAYMENT OF THE BALANCE DUE
BY THE CITY OF AUSTIN AND THE ISSUANCE AND
DELIVERY OF CERTIFICATES OF SPECIAL ASSESS-
MENT AGAINST OWNERS OF ABUTTING PROPERTY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That, Whereas, heretofore the hereinafter described street was ordered improved, contract for said work of improvement duly entered into, and assessment levied against abutting property and the owners thereof to cover the portion of the cost payable by the said property owners; and

WHEREAS, pursuant to said contract and other proceedings in connection therewith, L. E. Whitham & Company has completed the improvement of the following street, to-wit:

DUVAL STREET from the north line of 35th Street to the north line of 45th Street, known as Unit or District No. 16; and

WHEREAS, said improvement is in strict compliance with the terms of said contract, specifications adopted for said improvement, and other proceedings in connection therewith,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said improvement on said portion of said street be and the same is hereby accepted as in full compliance with the terms of said contract, specifications and proceedings, and the final estimate due from the City of Austin to L. E. Whitham & Company be and the same is hereby ordered paid.

That the Mayor and City Clerk be and are hereby authorized and instructed to issue, execute and deliver to L. E. Whitham & Company certificates of special assessment against the abutting property and the owners thereof, evidencing the several sums of money assessed against said property and the owners thereof respectively for their pro-rata of the cost of said improvement, in accordance with the terms of said contract and proceedings.

That this resolution shall take effect and be in force from and after its passage.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains

in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main on San Gabriel Street beginning at a point 20 feet south of and 24 feet east of the intersection of the north line of W. Nineteenth Street and the west line of San Gabriel Street;

Thence in a northerly direction 24 feet distant from and parallel to the west line of San Gabriel Street a distance of approximately 50 feet;

Said gas main described above is to have a cover of not less than $1\frac{1}{2}$ feet.

(2) A 4-inch gas main on West Nineteenth Street beginning at a point 20 feet south of and 24 feet east of the intersection of the north line of West Nineteenth Street and the west line of San Gabriel Street;

Thence in a westerly direction 20 feet distant from and parallel to the north line of West Nineteenth Street to a point 20 feet south of and 25 feet east of the intersection of the west line of Leon Street and the north line of West Nineteenth Street, said gas main described above to have a cover of not less than $1\frac{1}{2}$ feet.

(3) A 4-inch gas main on Leon Street beginning at a point 25 feet east of and 20 feet south of the intersection of the north line of West Nineteenth Street and the west line of Leon Street;

Thence in a northerly direction 25 feet distant from and parallel to the west line of Leon Street a distance of approximately 80 feet, said gas main described above to have a cover of not less than 2 feet;

(4) A gas main on San Jacinto Street beginning at a point 23 feet south of and 31 feet west of the intersection of the east line of San Jacinto Street and the north line of East 16th Street;

Thence in a northerly direction 31 feet distant from and parallel to the east line of San Jacinto Street to a point on an existing 4-inch main which lies on the north side of East Seventeenth Street, said gas main described above to have a cover of not less than $2\frac{1}{2}$ feet;

(5) A 4-inch gas main on East Twelfth Street, beginning at a point 21 feet south of and 70 feet west of the intersection of the north line of East Twelfth Street and the west line of Waller Street;

Thence in a westerly direction 21 feet distant from and parallel to the north line of East Twelfth Street to the west line of Curve Street produced, said gas main described above to have a cover of not less than 3 feet;

(6) A 4-inch gas main on San Gabriel Street beginning at a point 25 feet east of and 20 feet south of the intersection of the north line of West Thirty-fourth Street and the west line of San Gabriel Street;

Thence in a northerly direction 25 feet distant from and parallel to the west line of San Gabriel Street to the south line of West Thirty-fifth Street, said gas main described above to have a cover of not less than 2 feet.

At least three days notice must be given the City Engineer before actual construction is started on this line in order that stakes may be set.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to

said Company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A communication from E. D. Junkin, asking that the City take steps to abate the scourge of hay fever in the City, was read and ordered filed.

The Mayor laid before the Council the application of A. E. Schutze for permit to reconstruct his gasoline filling station on the Barton Springs Road; also the following report of the Safety Committee upon same:

"Austin, Texas, September 5, 1929

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

We, your Committee, on the application of A. E. Schutze to construct, revise and operate a gasoline filling station on Barton Springs Road make the following report.

We, your Committee, beg to advise you that Mr. Schutze is at the present time operating a gasoline filling station and that the City of Austin has agreed to purchase some of his property from him so as to widen Barton Springs Road and that it is therefore necessary for Mr. Schutze to re-construct his filling station at a point farther back from the center line than the existing filling station and that the new permit, if granted, will not increase, but will decrease the present hazard of his station.

We, your Committee, recommend that the City Council consider his application and express tentative approval or disapproval of same and that Mr. Schutze be advised to present a plan showing the proposed location of his station and drives in relation to the proposed new street lines and his property lines. After a tentative approval is given to the site and the plan is presented to the Safety Committee, final recommendation will be made by the Safety Committee that a permit should be granted.

CITY SAFETY COMMITTEE,

By J. E. Woody, Fire Chief;

Orin E. Metcalfe, City Engineer;

J. Bouldin Rector, City Attorney;

Tom Neal, Traffic Police Captain;

L. A. Palmer, Plumbing Inspector."

Councilman Mueller moved that the above permit be granted, provided the above recommendations of the Safety Committee are complied with. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mrs. Allie C. Belcher appeared before the Council and requested that on account of the traffic hazard at Eighth and Lavaca Streets, the City place signal lights at this point.

The Mayor laid before the Council the application of John Francis to construct a concrete driveway at 411-413 West Sixth Street; also the following report of the Safety Committee upon same:

"Austin, Texas, September 5, 1929.

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have considered the request of John Francis for a permit to construct a concrete driveway at 411-413 West Sixth Street for the purpose of entry of autos to a proposed used car storage lot to be located at said address.

We, the Committee, recommend that this permission be granted subject to the following conditions:

(1) That lines and grades for the sidewalk and ramps shall be obtained from the City Engineering Department and that the work shall be done by a bonded concrete contractor.

(2) That no gasoline or oils shall be sold from the property and no equipment therefor be installed.

(3) That a plan of the property showing its location in relation to legal lot lines, the existing curb lines and proposed location of the drive shall be furnished by the owner and must be approved by the City Engineering Department before commencement of construction. That the width of said driveway shall not be greater than fourteen (14) feet.

(4) That permission shall be granted subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating drive-in garages, storage yards or service stations and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that said John Francis has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances

CITY SAFETY COMMITTEE

BY J. E. Woody, Fire Chief;

Geo. F. Krueger, Fire Marshal;

Orin E. Metcalfe, City Engineer;

J. Bouldin Rector, City Attorney;

Tom Neal, Traffic Police Captain;

L. A. Palmer, Plumbing Inspector."

Councilman Mueller moved that the above permit be granted, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

H. R. F. Helland, Consulting Engineer, to whom the bids on sanitary sewer construction had been referred for tabulation earlier in the meeting, brought in his report on same.

Councilman Reed then moved that the bid of McKenzie Construction Company for said sanitary sewer construction, totalling \$130,277.45, using vitrified clay pipe, being the lowest and best bid submitted, said bid be accepted and the City Manager be instructed to enter into a contract with said firm for said work at said price. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The application of E. G. Kingsbery to construct a drive-in confectionery and concession stand, also a sixteen foot driveway at Live Oak Street and South Congress Avenue, was read the first time and laid over.

The application of Mrs. M. W. McDonald for permit to erect a gasoline filling station and operate a parking lot at the corner of Twelfth and Nueces Streets was read the first time and laid over.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING TRAFFIC ON COLORADO STREET, BETWEEN ITS INTERSECTION WITH SEVENTH STREET AND ITS INTERSECTION WITH EIGHTH STREET, IN THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ORDINANCES IN CONFLICT, AND PRESCRIBING PENALTIES.

The foregoing ordinance was read the first time and Councilman Pannell moved that the rule be suspended and the ordinance placed on its second reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE PREVENTING
PEDDLERS, HAWKERS AND
HUCKSTERS FROM ENGAGING
IN BUSINESS ON CERTAIN
STREETS IN THE CITY OF
AUSTIN, AND PRESCRIBING
A PENALTY FOR THE VIOLA-
TION HEREOF.

The above ordinance was read the first time and laid over.

The Mayor laid before the Council for its second reading the following ordinance:

AN ORDINANCE FIXING AND
LEVYING MUNICIPAL TAXES
FOR THE CITY OF AUSTIN,
TEXAS, FOR THE YEAR A.D.
1929.

The above ordinance was read the second time and laid over.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE FIXING AND ES-
TABLISHING THE WARD BOUN-
DARIES OF THE CITY OF AUSTIN
FOR VOTING PURPOSES ONLY,
AND REPEALING ALL ORDINANCES
IN CONFLICT HEREWITH.

The above ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its second reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Council agreed that the City Manager should allow the same rate for power to the KUT Broadcasting Station as is given large commercial users of electricity.

The City Manager was authorized by the City Council to have ordinances

drawn regulating overcrowding in theatres, etc., and smoking around gasoline filling stations and submit same to the Council for passage.

Councilman Mueller moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved: J. M. McFadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 12th, 1929.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, 4; absent, Councilman Steck, 1.

The Minutes of the last meeting were read and Councilman Pannell moved the adoption of same as read. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in the certain Unit or District of Improvement as follows:

ELMWOOD STREET from the East line of Duval Street to the West line of Harris Park Avenue, known and designated as Unit or District No. 21;

all as awarded to L. E. Whitham & Company

the Mayor thereupon stated that all persons desiring to protest against the levying of assessments against abutting property on the above mentioned street and within the limits above stated, or who desired to be heard with reference to the amount proposed to be assessed against said property and the owners thereof, the lien and liability thereof, the special benefits to the property and the owners thereof, or any other matters or things authorized by the provisions of Article XXIV of the Charter of the City of Austin to be urged and considered at this hearing, would now be heard from, and thereupon all parties protesting were heard by the Council as follows:

J. D. Caswell protested that he was financially unable to pay his pro rata of the cost of paving; that it would place an additional mortgage on his homestead; that he was not opposed to paving, but thought a cheaper type of pavement could be used on this street, and if so, he would be willing to bear his portion of the cost.

No other interested parties or owners having requested to be heard, the Mayor thereupon laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN,
TEXAS, CLOSING A HEARING GIVEN
TO PROPERTY OWNERS ON ELMWOOD
STREET, IN THE CITY OF AUSTIN,
AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Pannell moved that the rule be suspended and the ordinance passed to its second reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor